

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Fairway Drive, 204.55 ft. W		
of Knollwood Road	*	DEPUTY ZONING COMMISSIONER
9th Election District		
4th Councilmanic District	*	OF BALTIMORE COUNTY
(817 Fairway Drive)		
	*	CASE NO. 02-410-A
Gwen S. & Robert G. Vaughan, III		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gwen S. and Robert G. Vaughan, III. The variance request is for property located at 817 Fairway Drive in the Towson area of Baltimore County. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 23 ft. in lieu of a front yard average of 29 ft. for a proposed addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.


The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

5/1/02
S.R. Jones

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 15th day of May, 2002, that a variance from Section 303.1 of the B.C.Z.R., to permit a front yard setback of 23 ft. in lieu of a front yard average of 29 ft. for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

5/1/02
R. J. JAMESON



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 1, 2002

Mr. & Mrs. Robert G. Vaughn, III
817 Fairway Drive
Towson, Maryland 21286

Re: Petition for Administrative Variance
Case No. 02-410-A
Property: 817 Fairway Drive

Dear Mr. & Mrs. Vaughn:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 817 FAIRWAY DRIVE
City TOWSON, State MD, Zip Code 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

WE REQUEST A VARIANCE IN FRONT YARD SETBACK FROM THE CENTERLINE OF FAIRWAY DRIVE, FROM 54 FT TO 48 FT, TO ALLOW THE ADDITION OF A VESTIBULE 6 FEET DEEP BY 8 FEET WIDE. THIS VESTIBULE WILL PROVIDE PROTECTION FROM THE ELEMENTS WHILE ENTERING OUR FRONT DOOR. THIS WILL ALSO REDUCE THE ENERGY LOSS WHENEVER THE FRONT DOOR IS OPENED, (THE PRESENT FRONT DOOR OPENS DIRECTLY INTO THE LIVING ROOM.)

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
ROBERT G. VAUGHAN, III
Name - Type or Print

[Signature]
Signature
GWEN S. VAUGHAN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of March, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert G. VAUGHAN III and Gwen S. Vaughan
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 7-1-03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 817 FAIRWAY DRIVE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 303.1 to PERMIT A TOWN

SETBACK OF 23 FT. IN LIEU OF A FRONT YARD AVERAGE OF 29 FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

ROBERT G. VAUGHAN, III
Name - Type or Print

Signature

GWEN S. VAUGHAN
Name - Type or Print

Signature

817 FAIRWAY DRIVE 410-321-6689
Address Telephone No.

TOWSON, MD 21286
City State Zip Code

Representative to be Contacted:

SEE ABOVE
Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-410-A

Reviewed By 5007 Date 03-25-02

Estimated Posting Date 04-08-02

REV 10/25/01

ZONING DESCRIPTION FOR
817 FAIRWAY DRIVE, TOWSON,
MARYLAND:

BEGINNING AT A POINT 25' SOUTH
OF THE CENTERLINE OF FAIRWAY
DRIVE AND 204.55 FT WEST
OF THE CENTERLINE OF KNOLLWOOD
ROAD, WESTERLY ALONG FAIRWAY
DRIVE FOR A DISTANCE OF 58 FT,
THEN $S 6^{\circ} 14' 37''$ 164.08 FT,
 $S 71^{\circ} 20' 52'' E$ 91.24 FT, THENCE
 $N 4^{\circ} 34' 23'' W$ 133.92 FT TO THE
POINT OF BEGINNING. BEING
LOT # 23, PLAT BOOK # 13, FOLIO # 125
IN THE SUBDIVISION OF KNOLLWOOD.

02.410.A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **10173**

DATE 03-25-02 ACCOUNT ROOT-COGGISO

AMOUNT \$ 50

RECEIVED FROM: ROBERT VAUGHAN

FOR: RES VAL (ADULTS) \$ 50

TOTAL \$ 50

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

C2-410-A

PAID RECEIPT

BUSINESS ACTUAL TIME
3/25/2002 3/25/2002 11:25:26

REG NO: 06 WALKIN KNCH KXN DRIVER 4

>> RECEIPT # 073873 3/25/2002 OFLN

Dept 5 528 ZONING VERIFICATION

CR NO. 010173

Receipt Tot \$50.00

50.00 OK .00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 02-410-A
Petitioner/Developer:
Mr. & Mrs. Robert Vaughn
Closing Date: 04/23/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Mr. George Zahner

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **817 Fairway Dr.**

The sign(s) were posted on **04/08/02.**

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



✓

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 410 -A Address 817 FAIRWAY DR.

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3-25-02 Posting Date: 04-08-02 Closing Date: 04-23-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 410 -A Address 817 FAIRWAY DR.
Petitioner's Name Mrs. ROBT. VAUGHAN Telephone 410-321-6689
Posting Date: 04-08-02 Closing Date: 04-23-02
Wording for Sign: To Permit A FRONT SETBACK OF 23 FT. IN LIEU OF
FRONT YARD AVERAGE OF 29 FT.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 23, 2002

Mr. & Mrs. Robert G Vaughan III
817 Fairway Drive
Towson MD 21286

Dear Mr. & Mrs. Vaughan:

RE: Case Number: 02-410-A, 817 Fairway Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 25, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 12, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
401, 402, 404-417, 419-425

410

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

Come visit the County's Website at www.co.ba.md.us



11V
4/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 30, 2002

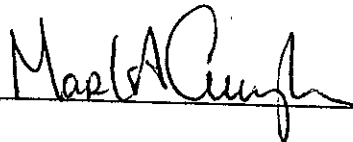
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

APR 30

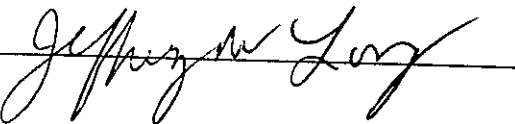
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-360, 02-380, 02-410, 02-427, 02-431,
02-434, and, 02-442

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 410

JEA

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES

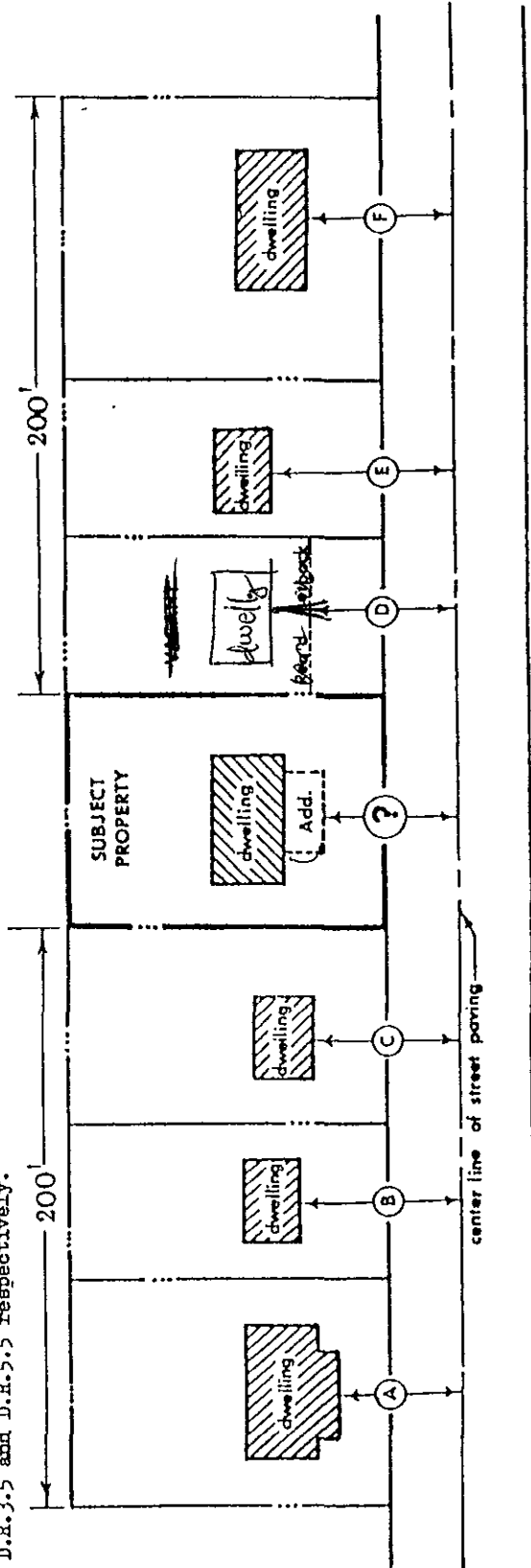
Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 — In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	54	FT.	- 25 FT. - 29 FT.
B	54	FT.	- 25 FT. 29 FT.
C	54	FT.	- 25 FT. 29 FT.
D	54	FT.	- 25 FT. 29 FT.
E	54	FT.	- 25 FT. 29
F	54	FT.	- 25 FT. 29
TOTAL (324) ÷ (6) = 54-25			
# of dwellings			

REQUIRED FRONT SETBACK (averaged)
D.R.2 - 65 ft.
D.R.3.5- 55 ft.
D.R.5.5- 50 ft.

applicant's name VAUGHAN
building address 817 FAIRWAY DR.
date 2/21/2002



02. 410. A.

Renaissance Contractors, L.L.C.

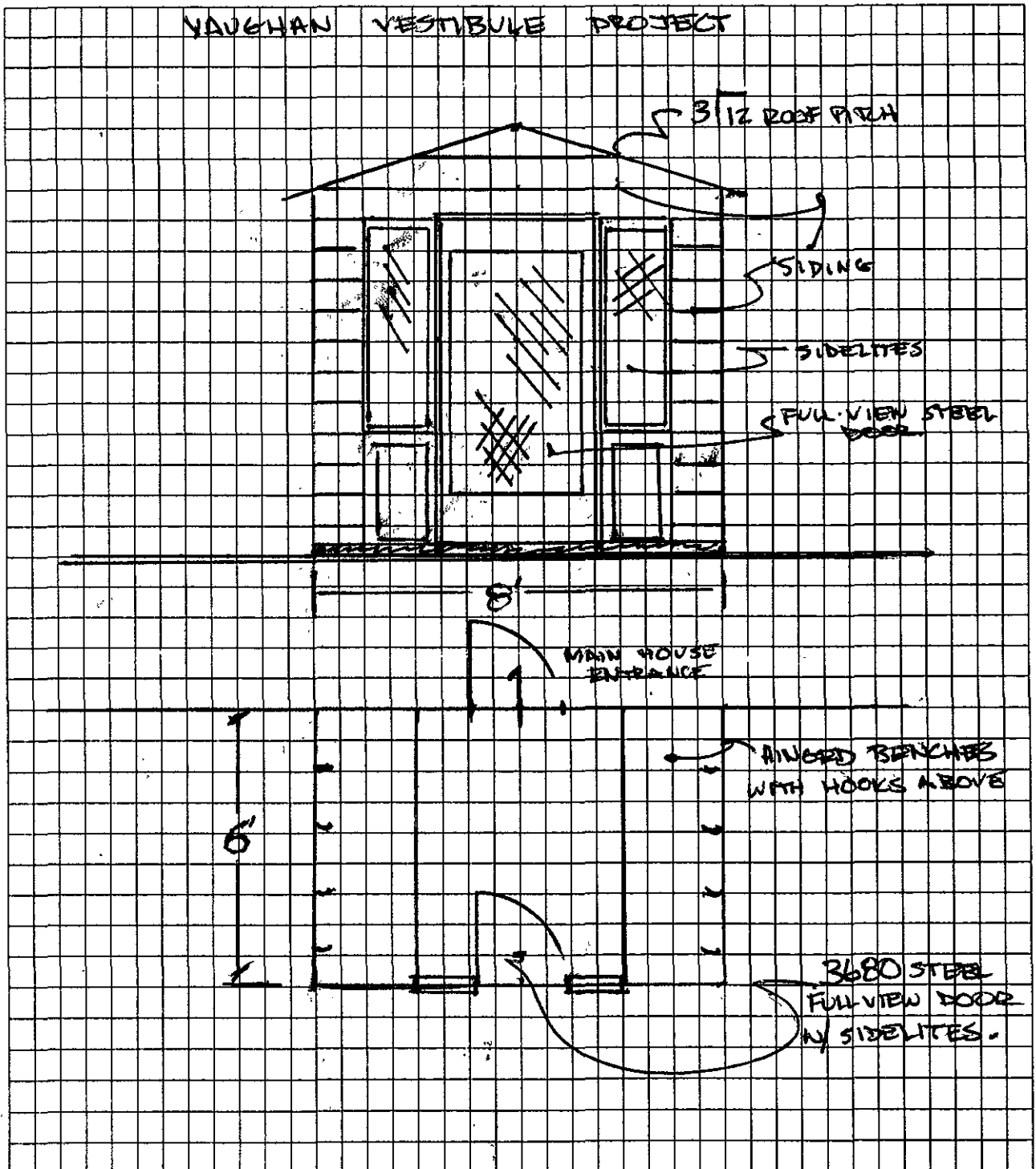
Job Address

817 PATERNY DR. TOWSON MD 21286

Name

VAUGHAN

Date



02-410. (A)

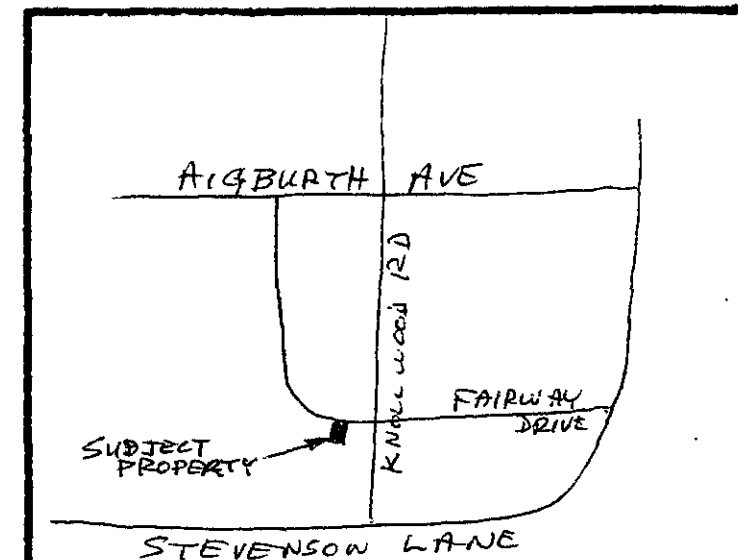
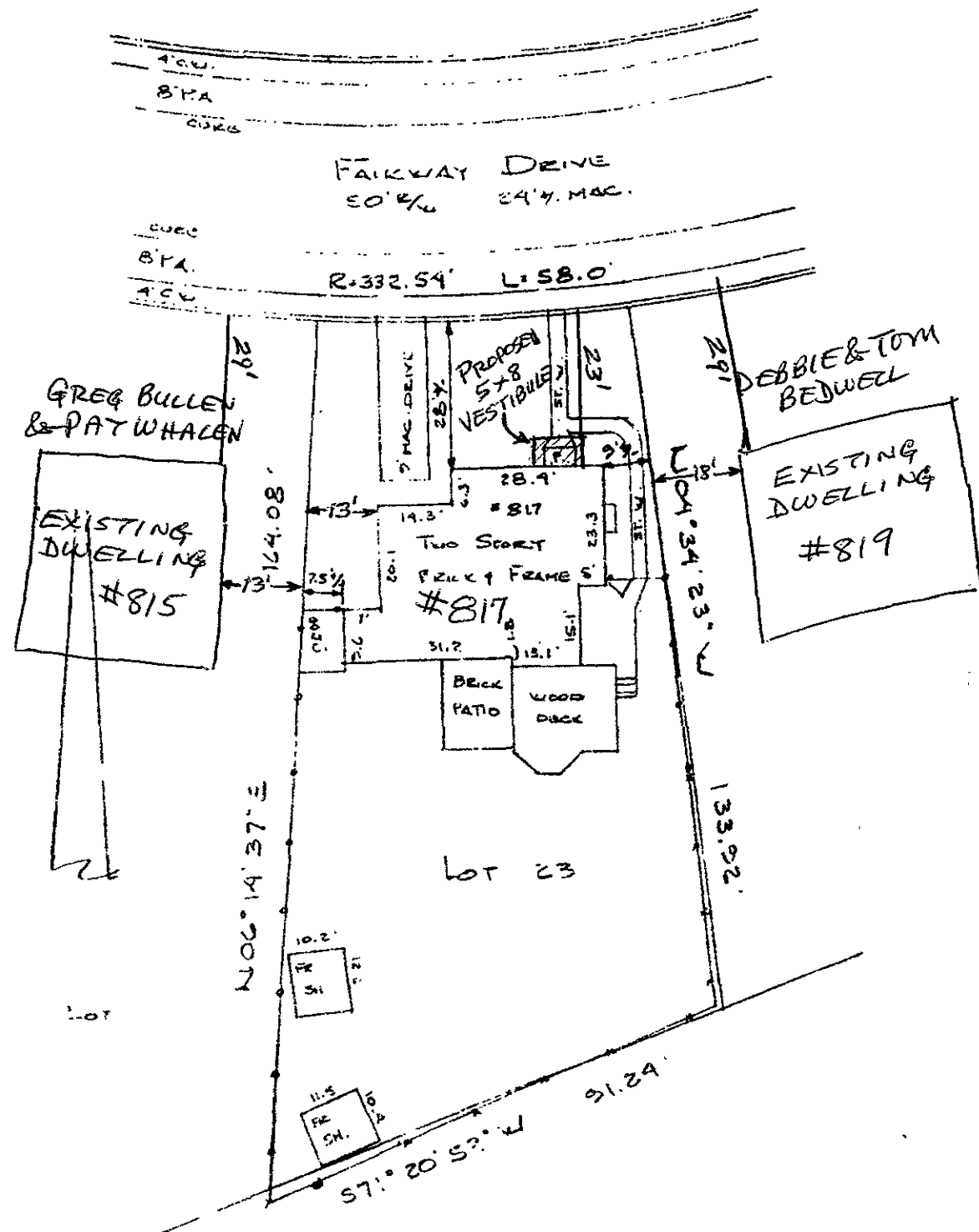
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 817 FAIRWAY DRIVE, TOWSON, MD 21286 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME KNOLLWOOD

PLAT BOOK # 13 FOLIO # 125 LOT # 23 SECTION #

OWNER GWEN S. and ROBERT G. VAUGHAN, III



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 4

1" = 200' SCALE MAP # NE 9A

ZONING DR 5.5

LOT SIZE 0.25 10,952
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WATER	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>

100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
----------------------	--------------------------	-------------------------------------

HISTORIC PROPERTY/BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

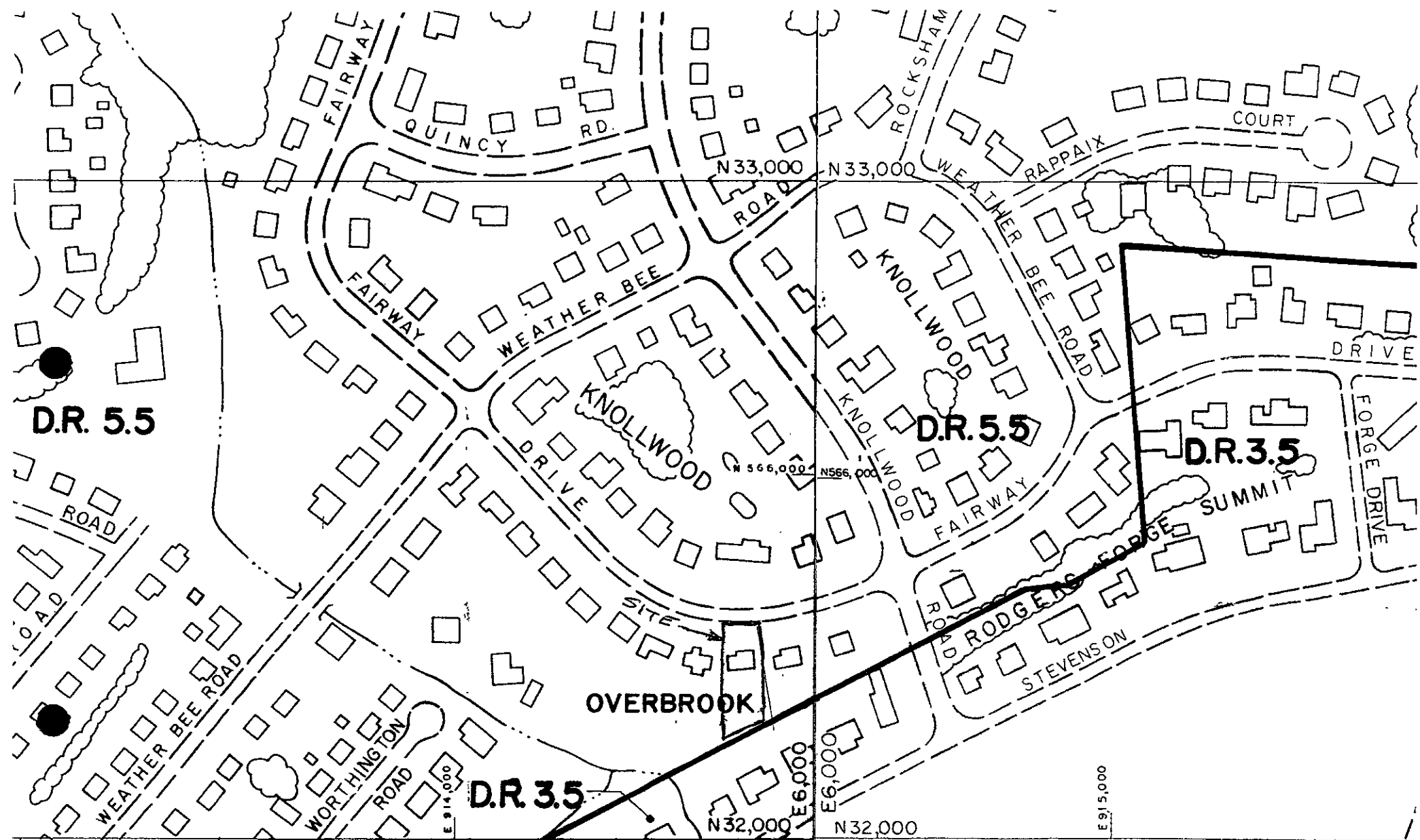
500

02-40-A

PREPARED BY B.V.

SCALE OF DRAWING: 1" = 30'

Ret. G. V. #1



SCALE

1" = 200' ±

LOCATION

WILTONDALE

TOWSON

SHEET

N.E.

9-A

N - NW

N.E. 9-B.

DATE
OF
PHOTOGRAPHY
JANUARY
1986

07-40-20





819

817
SUBJECT PROP.

FAIRWAY DRIVE

02-410 F



817 815
SUBJECT PROP.
FAIRWAY DRIVE